

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/734,055
Filing Date	December 11, 2003
First Named Inventor	Robert Harold Bateman
Art Unit	2881
Examiner Name	Johnnie L. Smith II
Attorney Docket Number	03-MM-03 85.80038/006

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Forms PTO/SB/08A & PTO/SB/08B Copies of references BG, BH, BI, BJ and BK Prepaid Return Postcard
Remarks Customer No. 43840		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	WATERS CORPORATION		
Signature			
Printed name	Jamie H. Rose		
Date	August 26, 2005	Reg. No.	45,054

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Jamie H. Rose	Date	August 26, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number	10/734,055
Filing Date	December 11, 2003
First Named Inventor	Robert Harold Bateman
Examiner Name	Johnnie L. Smith II
Art Unit	2881
Attorney Docket No.	03-MM-03 85.80038/006

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 23-0503 Deposit Account Name: WATERS CORPORATION

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 37 CFR 1.97(d)(2), fee under 37 CFR 1.17(p)

Fees Paid (\$)

180.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 45,054	Telephone
Name (Print/Type)	Jamie H. Rose		Date August 26, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No. 03-MM-03 85.80038/006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Robert Harold Bateman

Serial No.: 10/734,055

Filing Date: December 11, 2003

For: Mass Spectrometer

Art Unit: 2881

Examiner: Johnnie L. Smith II

Mail Stop Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR 1.8 (a)

I hereby certify that the attached correspondence is being deposited with the United State Postal Service, as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 26, 2005.

08/30/2005 BABRAHA1 00000062 230503 10734055

01 FC:1806 180.00 DA

Jamie H. Rose

FILING OF INFORMATION DISCLOSURE STATEMENT
AFTER MAILING OF NOTICE OF ALLOWANCE AND BEFORE PAYMENT OF
ISSUE FEE, UNDER 37 C.F.R. § 1.97(d)

In accordance with the provisions of 37 CFR 1.56 and 1.98, Applicants wish to bring the publications, references cited and/or patents listed on the attached forms PTO/SB/08A and PCT/SB08B, Substitute for form PTO-1449, to the attention of the Examiner.

This information disclosure statement is being filed under 37 C.F.R. § 1.97 (d)(2) after receipt of a Notice of Allowance in the present application. Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

It is respectfully requested that each of the documents shown on the attached substitute forms for PTO-1449 / PTO/SB08A and PTO/SB08B be made of record in this application. Copies of foreign and non-patent documents are enclosed herewith.

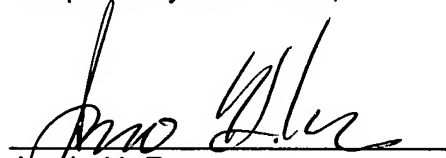
Applicants submit herewith a copy of an office action issued by the German Patent Office on June 23, 2005 for the German counterpart to the present application (i.e., German Application No. 103 57 498.0-54). In this German language office action, the German patent office examiner rejects all claims primarily in view of DE 693 28 818 T2 (copy enclosed herewith along with a copy of its English language counterpart, i.e., EP 0 602 983.) The Examiner also states that magnetic lenses for focusing a charged particle beam onto an ion detector is known from US 4,728,790, and that electrode arrangements in which the openings of the electrodes have the same area sizes is known from EP 0-854 495.

FEE AUTHORIZATION

Under 37 C.F.R. § 1.97(d), please consider the present information disclosure statement, and charge the associated fee under 37 CFR § 1.17(p) to Deposit Account No. 23-0503.

A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Jamie H. Rose
Attorney for Applicants
Reg. No.: 45,054

Dated: August 26, 2005
Tel. 508-482-2714
Fax. 508-482-2320

CUSTOMER NO. 43840



(Use as many sheets as necessary)

Sheet	1	of	2
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Application Number	10/734,055
Filing Date	December 11, 2003
First Named Inventor	Robert Harold Bateman
Art Unit	2881k
Examiner Name	Johnnie L. Smith II
Attorney Docket Number	03-MM-03 85.80038/006

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BG	EP 0 854 495 B1	09-03-2003	Staib, Phillippe, Dr.		
	BH	EP 0 602 983 B1	06-07-2000	LaRue, Ross Actor		
	BI	DE 693 28 818 T2	12-16-1993	LaRue, Ross Actor		
	BJ	DE 695 25 106 T2	06-19-1995	Litman, Alon		

Examiner Signature		Date Considered	
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ²Applicant's unique citation designation number (optional). ³See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁷Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known			
		Application Number	10/734,055		
		Filing Date	December 11, 2003		
		First Named Inventor	Robert Harold Bateman		
		Art Unit	2881		
		Examiner Name	Johnnie L. Smith II		
Sheet	2	of	2	Attorney Docket Number	03-MM-03 85.80038/006

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BK	Office action issued by Deutsches Patent-und Markenamt (German patent and trademark office), dated 23 June 2005, for German Application No. 103 57 489.0-54	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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